

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

LENA TAYLOR, TORY LOWE,
and JUSTICE WISCONSIN, INC.,

Plaintiffs,

Case No. 20-cv-545-pp

v.

THE MILWAUKEE ELECTION COMMISSION,
NEIL ALBRECT, THERESA R. GABRIEL,
STEPHANIE D. FINDLY, CARMEN C. CABRERA,
JESS RIPP, THE WISCONSIN ELECTION COMMISSION,
MARGE BOSTELMANN, JULIE M. GLANCEY,
ANN S. JACOBS, DEAN KNUDSON,
ROBERT F. SPINDELL, JR., and MARK THOMSEN,

Defendants,

THE WISCONSIN LEGISLATURE,

Intervenor Defendant.

**ORDER GRANTING WISCONSIN LEGISLATURE'S UNOPPOSED MOTION TO
INTERVENE (DKT. NO. 16) AND ITS UNOPPOSED MOTION TO DISMISS
(DKT. NO. 20) AND DISMISSING CASE**

The plaintiffs filed this complaint (combined with a motion for injunctive and declaratory relief) on April 3, 2020, the Friday before the Tuesday, April 7 date scheduled for the Wisconsin spring election. Dkt. No. 1. The document asked this court to issue an order postponing the spring election, permitting early voting to continue, extending the deadline for registering to vote electronically or by mail and canceling in-person registration and absentee voting. Id. at 25-26. The reason for the request was the COVID-19 crisis.

Three days later—Monday, April 6, 2020, the day before the election was to take place—the Wisconsin Legislature filed a motion to intervene as a defendant. Dkt. No. 16. It also filed a proposed motion to dismiss the complaint and the motion for preliminary injunctive relief (proposed because the court had not yet ruled on the motion to intervene). Dkt. No. 20.

Later in the day on April 6, the court held a hearing on the motion for preliminary injunctive relief. Dkt. Nos. 24, 26. It then issued an order denying that motion. Dkt. No. 25.

Presumably because the denial of the motion for preliminary injunctive relief denied the plaintiffs the relief they requested in the complaint, the plaintiffs did not respond to the Wisconsin Legislature's motions within the twenty-one days allowed by Civil Local Rule 7(b) (E.D. Wis.). Not wanting to assume, however, the court issued a text-only order on April 29, 2020, ordering that any party wishing to oppose the Wisconsin Legislature's motions must do so in time for the court to receive that opposition by the end of the day on May 8, 2020. Dkt. No. 27. The order advised the parties that if it did not receive any opposition briefs by that deadline, it would rule on the Legislature's motions without a hearing and without further input from the parties. Id.

May 8, 2020 has come and gone, and the court has received no opposition briefs from any party.

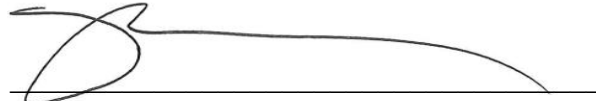
The court **GRANTS** the Wisconsin Legislature's motion to intervene as a defendant. Dkt. No. 16.

The court **GRANTS** the Wisconsin Legislature's motion to dismiss the complaint. Dkt. No. 20.

The court **ORDERS** that the case is **DISMISSED**.

Dated in Milwaukee, Wisconsin this 12th day of May, 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge